EXHIBIT

D

UNITED STATES DISTRICT court
DISTRICT OF DELAWARE

CORDIS CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	97-550-SLR
	)	Consolidated
MEDTRONIC VASCULAR, INC., BOSTON SCIENTIFIC CORPORATION AND SCIMED LIFE SYSTEMS, INC.,	)	
	)	
Defendants.	)	
	)	

VIDEOTAPED DEPOSITION OF
REGINALD LOW, M.D.
New York, New York
Wednesday, November 10, 2004

Reported by:
Robert X. Shaw, CSR
CSR NO. 817
JOB NO. 167300

Dr. Low

and this concludes tape number 1. And we are off the record.

(Recess.)

THE VIDEOGRAPHER: Stand by. The time is 10:53 and this begins tape 2 and we are back on the record of the deposition of Dr. Low.

Q. Dr. Low, placed in front of you is Low Exhibit 19. Would you take a look on page 132 and in the middle of the paragraph -- and feel free to read as much as you need -- there is a statement that says: "The flexibility depends on the ability of the stent to elongate differentially such that the stent wall outside of the curve be longer than the wall inside of the curve." Do you see that?

A. Aha.

Q. Do you have an understanding of what the stent wall that is being referred to in that paragraph is?

MR. CHAPMAN: Objection, vague.

A. I assume that they are talking about the elements on the outside of the curve that are part of the stent.

Q. Which elements are those?

A. Well, whatever elements are on the outside. I mean --

Q. Would the C-rings be part of the wall of the stent?

A. That would be one wall of the stent.

Q. Would the U-rings also be part of the wall of the stent?

A. It is probably part of a different wall of the stent.

Q. In the NIR stent why would you differentiate the C-rings as being part of one wall and the U-rings as being part of another wall?

A. Different radiuses. They are certainly not in the same plane. They are part of a different radius.

Q. Is it your understanding that the term "wall" requires something to have the same radius?

MR. CHAPMAN: Objection. Vague as to the meaning of what meaning of "wall" we are using.

A. Yes, I would agree that -- I mean,

there is no wall that would define the U elements as well as the C elements.

Q. If someone wrote something where they referred to the thickness of the wall of a stent, what would you take, what would your understanding, as a cardiologist, be?

MR. CHAPMAN: Objection. Vague.

A. Um, as a cardiologist, I would take that to mean the thickness of the metal from which it was constructed.

Q. Would you consider the metal from which a stent is constructed to be the wall of a stent?

MR. CHAPMAN: Same objection.

A. No.

Q. Why not?

A. Well, the metal is the metal and, you know, "wall" is, it is a completely different concept.

Q. When you use an NIR stent, is it the metal of the NIR stent that acts as a scaffolding to support the artery?

A. It is the pattern of the cells, made of metal, that support the vessel. It is

actually the geometry of the cells.

Q. And the geometry of the cells is defined by the metal; correct?

A. Well, it is defined by the shape of the cells made by the metal.

Q. Does the empty space inside of the cell of a stent provide any support to the artery wall?

A. No.

Q. Is there anything besides the metal of the NIR stent that provides support to the artery wall?

A. Well, I mean, in this case, all of the elements of the stent supply support, including the weld joint.

Q. The weld joint, part of the metal of the stent?

A. It is probably a different metal.

Q. Do you know if it is a different metal or the same metal?

A. You know, I can't tell you specifically, but I believe that it is a different metal.

Q. Okay. Do you consider -- I will go

back.

With the NIR stent, we are talking about the C-sections, do they have a wall?

MR. CHAPMAN: Objection. Vague.

A. Well, can you define the C-section for me?

Q. Sure. Have you ever heard anyone describe the NIR stent as being made up of C-rings and connecting "Us"?

A. I think the C and the U comprise the cell, and multiple cells comprise the NIR stent.

Q. Okay.

If someone was talking about the NIR stent and mentioned C-rings, what would your understanding be of what they were referring to?

Let me go back to your expert report, and you referred to a C region. What were you referring to?

A. The C regions that I believe that the Cordis group has defined, which includes their attorneys.

Q. What was your understanding when you

EXHIBIT

E

Johnson & Johnson

INTERVENTIONAL SYSTEMS CO.

September 1, 1995

Mr. W.D. Dearstyne
to
Mr. J.T. Lenehan
to
Mr. C.H. Johnson
to
Executive Committee

EXHIBIT ID
Croce-46
11/23/99

PROJECT OLIVE

This recommends an agreement with Cardimed in Tel Aviv, Israel for the rights to the NIR Stent that consists of a $105MM license for worldwide marketing rights and an option to buy the patents and technology after a series of milestone payments of $230MM have been paid within one year of the signing of this agreement making the total acquisition $335MM. JJIS needs to proceed with this agreement immediately to prevent this very competitive and valuable stent design from being acquired by Boston Scientific or going public at a valuation between $450-500MM. The following strategic business reasons drive the need for this acquisition:

A. The NIR Stent design is a superior stent design for both coronary and peripheral applications and has the potential to substantially replace the PALMAZ and PALMAZ-SCHATZ Stent due to these unique features:

1. Flexible delivery, yet, very strong after deployment. The flexibility aspect of the NIR Stent is a substantial competitive advantage over the current PALMAZ and PALMAZ-SCHATZ Stents and is a feature which can potentially replace up to 50% of our current stent volume based on indicated physician preference and limited clinical results.

2. Accelerates JJIS expansion into two major stent segments in which we are unable to participate due to the inherent stiff design of the PALMAZ and PALMAZ-SCHATZ Stents:

   a. Multi-vessel/extensive disease in patients. The unique flexibility and strength of the NIR Stent will increase stent penetration into this important and large segment of the stent market - potential estimated to be over 100,000 procedures ($160MM) per year worldwide. This will permit stenting of patients who would normally be sent to open heart surgery. This is a major opportunity for JJIS.

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b. <3mm Vessels - The NIR Stent's unique design is ideal for stenting <3mm vessels and will permit more rapid penetration of this untapped large segment estimated to be 200,000 procedures ($320MM) per year worldwide.

3. Longer Stent Design - The NIR Stent design permits longer stents which will help reduce hospital/ procedure costs. JJIS needs longer, flexible stents to effectively compete against the multiple new stent products rapidly being introduced in Europe and other key markets. We cannot compete effectively, long term, with the current PALMAZ and PALMAZ-SCHATZ Stent design.

4. Sheathless Delivery - The NIR Stent design will permit a sheathless delivery, hence, minimizing the invasive nature of the stent procedures. This will reduce the incidence of bleeding at the puncture site, shorten hospital stays and permit safer delivery of the stent.

5. Higher Peripheral Penetration Rates - Due to the much easier/user friendly characteristics of the NIR Stent, we anticipate higher penetration rates into the current peripheral stent markets.

6. Deflect Competitive Claims of Flexibility - All competitive stents have a strong flexibility claim versus the PALMAZ and PALMAZ-SCHATZ Stents. The NIR Stent will match or exceed the flexibility performance of competitors and provide superior strength following deployment.

7. Lower Manufacturing Costs - The automated manufacturing and inspection method for the NIR Stent utilizes high-tech, integrated circuit technology and increases the precision of manufacturing. We anticipate it will lead to lower manufacturing costs.

In summary, this acquisition is necessary to perpetuate the stent franchise for Johnson & Johnson while protecting and building upon our worldwide leadership position.

M.L. Woodall

EXHIBIT

F

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Undergraduate and Graduate Work (degrees and dates):
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Philadelphia, Pennsylvania

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University of Mississippi, 1978
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Internship:
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Fellowship, 1978
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Honorary Fraternities:
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Serpent Society, 1963
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Certifications:
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Certificate 873-66

Medical License, State of Minnesota 17947 1967
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Medical License, State of Delaware, Reg. No. 001248 1974
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Medical License, State of Louisiana, Reg. No. 3560 1975

Medical License, State of Mississippi, Lic. No. 8127 1977

Medical License, State of Texas, Reg. No. E-9190 1977

American Board of Plastic Surgery Certificate No. 2883 1984

Medical License, State of California, Lic. No. G058548 1986

Fellow, American College of Surgeons 1986

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Society Memberships:
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American Medical Association
American Association for the Advancement of Science
American College of Surgeons
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Austin Smiles
Flying Physicians
Hennepin County Medical Society
Interamerican College of Physicians & Surgeons
International Society of Fertility and Sterility
International College of Surgeons
Lipoplasty Society of North America, Inc.
Louisiana State Medical Society
Minnesota Academy of Science
National Board of Medical Examiners
National Academy of Science
Orleans Parish Medical Society
Societa Italiana Di Chirugia Plastica
Society for Office Based Surgery
Society for Air Force Clinical Surgeons
Society for Cryosurgery
Southern Medical Association
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PUBLICATIONS

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82. Ersek, R.A., "Physiologic Tissue Gel Equivalent," Letter to the Editor, Plastic and Reconstructive Surgery Journal, Vol. 86, No. 3, September 1990, p. 611.
83. Ersek, R.A., Vogt, Peter A., Seider, H.A., Moufarrege, Richard, Leikensohn, John R., Eisenberg, Harry V., Armstrong, D.P., "Surface-patterned Silicone Implants Decrease Contracture for Soft Breast Prosthesis," Contemporary Surgery, Vol. 37, No. 3, September 1990, p. 25-29.
84. MISTI Gold Scientific Summary
85. Ersek, R.A., "When Your Child Needs Plastic Surgery," PARENTING IN THE 90'S, 1990 Edition, Sandy J. Kemp, Cameron Publications, Austin, Texas.
86. Ersek, R.A., Denton, D.R., "Silver Speed Skin: Silver-Impregnated Porcine Xenograft for the Treatment of Skin Lesions in the Elderly." GERIATRIE & REHABILITATION, Vol. 3, 2 (1990) 85-95/Forum.
87. Ersek, R.A., "Firestorm Fibrosis." Technical Forum, Bul. of the Int. Soc. Clin. Plas. Surgeons. August 1990, Vol. 14, No. 3.
88. Ersek, R.A., Navarro, J.A., "Maximizing Wound Healing with Silver Impregnated Porcine Xenograft." Today's O.R. NURSE, December 1990, Vol. 12, No. 12, Pages 4-9.
89. Ersek, R.A., Phillips, C., Schade, K., "Obesity Can Be Treated by Suction Lipoplasty When Combined with Other Procedures." Aesth. Plast. Surg. 15:67-71, Winter, 1991.
90. Ersek, R.A., "Transplantation of Purified Autologous Fat: A 3-Year Follow-up Is Disappointing." Plastic and Reconstructive Surgery Journal, Vol. 87, No. 2, Pages 219-227, February, 1991.
91. Ersek, R.A., Beisang III, A.A., "Bioplastique: A New Textured Copolymer Microparticle Promises Permanence in Soft-Tissue Augmentation." Plastic and Reconstructive Surgery Journal, Vol. 87, No. 4, Pages 693-702, April, 1991.
92. Ersek, R.A., "Rate and Incidence of Capsular Contracture: A Comparison of Smooth and Textured Silicone Double-Lumen Breast Prostheses." Plastic and Reconstructive Surgery Journal, Vol. 87, No. 5, Pages 879-884, May, 1991.
93. Ersek, R.A., Beisang, A.A. III, Geise, R.A., "Radiolucent Prosthetic Gel." Plastic and Reconstructive Surgery Journal, Vol. 87, No. 5, Pages 885-892, May, 1991.

94. Ersek, R.A., Shelton, T.O., "Radiolucent Gel for Breast Prostheses." Travis County Medical Society Journal, Vol. 37, No. 4, Pages 8-10, May, 1991.
95. Ersek, R.A., "Firestorm Fibrosis: The Fast Fibrotic Phenomenon." Annals of Plastic Surgery, Vol. 26, No. 5, Pages 494-498, May, 1991.
96. Ersek, R.A., Burroughs, J.R., Ersek, C.L., Navarro, A., "Interrelationship of Capsule Thickness and Breast Hardness Confirmed by a New Measurement Method." Plastic and Reconstructive Surgery Journal, Vol. 87, No. 6, June, 1991.
97. Ersek, R.A., "Comparative Study of Dermabrasion, Phenol Peel, and Acetic Acid Peel." Aesthetic Plastic Surgery, Vol. 15, No. 3, Pages 241-243, Summer, 1991.
98. Ersek, R.A., Navarro, J.A. "Transaxillary Subpectoral Placement of Textured Breast Prostheses." ANNALS OF PLASTIC SURGERY, Vol. 27, No. 1, Pages 93-96, July, 1991.
99. "MIKRO-FULLUNG MAXI-WIRKUNG." DIENEUEBEAUTY, April/Mai'91.9.Jahrgang S35,-/DM6.50 (Austria).
100. "Skin Plumper" (Bioplastique) ALLURE, August, 1991.
101. Ersek, R.A., Ersek, S.L., "Circular Cinching Stitch" PLASTIC AND RECONSTRUCTIVE SURGERY JOURNAL, Vol 88, No. 2, Pages 349-352, August, 1991.
102. "Skin Under Pressure: Beyond Retin A" (Bioplastique) SELF, September, 1991.
103. "A Body To Die For" (MISTI Gold Breast Prostheses) REDBOOK, September, 1991.
104. "Molecular Impact Surface Textured Implants (MISTI) Alter Beneficially Breast Capsule Formation at 36 Months" JOURNAL OF LONG-TERM EFFECTS OF MEDICAL IMPLANTS, Vol. 1, Iss. 2, 1991, Pages 155-169.
105. Ersek, RA, Letter to the Editor: Transplantation of Autologous Fat, PLASTIC AND RECONSTRUCTIVE SURGERY, Vol. 88, No. 6, December, 1991, Page 1110, in response to comments by Carson Lewis.
106. Ersek, R.A., Glaes, K.L., Navarro, J.A., "Results of Reaugmentation with MISTI Prostheses after Failure of Smooth Silicone Prostheses," PLASTIC AND RECONSTRUCTIVE SURGERY, Vol. 89, No. 1, January, 1992, Pages 83-87.
107. Ersek, R.A., Beisang, A.A., "Bioplastique: A New Biphasic Polymer for Minimally Invasive Injection Implantation", AESTHETIC PLASTIC SURGERY JOURNAL, Vol. 16, No. 1, Pages 59-65, Winter, 1992.
108. Ersek, R.A., "Bioplastique: Specific Technical Advice on Its Use and Possible Complications," AESTHETIC PLASTIC SURGERY JOURNAL, Vol. 16, No. 1, Pages 67-68, Winter, 1992.
109. Ersek, R.A., Beisang, A.A., "Mammalian Response to Subdermal Implantation of Textured Microimplants," AESTHETIC PLASTIC SURGERY JOURNAL, Vol. 16, No. 1, Pages 84-90, Winter, 1992.
110. Ersek, R.A., Denton, D.R., "Processed Irradiated Bovine Cartilage: Studies of Humoral Response in Mice and Humans", ACTUALITES DE CHIRURGIE ESTHETIQUE, ACTUEL SOFCEP 92, Sous la direction de Bernard MOLE; #16, Pages 187-196, MASSON Publishers, 1992 - Paris Milan Barcelone Bonn.

111. Ersek, R.A., Reply To LETTER TO THE EDITOR from Isaac J. Peled; re FIRESTORM FIBROSIS: THE FAST FIBROTIC PHENOMENON; ANNALS OF PLASTIC SURGERY, Volume 28, #5, May 1992, Page 502.
112. Ersek, R.A., "Truth's Most Articulate Advocate"; Book Review, LIPOPLASTY Fall 1992 Newsletter, Vol. 9, No. 4, Page 8.
113. Ersek, R.A., "Beware The Promises From Mecca", LIPOPLASTY Fall 1992 Newsletter, Vol. 9, No. 4, Page 9.
114. Ersek, R.A., Beisang, A.A., "Bioplastique: A New Textured Copolymer Microparticle Promises Permanence in Soft Tissue Augmentation," 1991. Abstract, LIPOPLASTY Fall 1992 Newsletter, Vol. 9, No. 4, Page 9.
115. Ersek, R.A., "Minimally Invasive Implantation of Microparticles for Tissue Augmentation," MINIMALLY INVASIVE THERAPY, Volume 1, Supplement 1, Page 71, 1992.
116. Ersek, R.A., "Figure Fault Sculpturing," MS. TEXAS USA PAGENT MAGAZINE, March, 1993, Page 32.
117. Ersek, R.A., "Breast Reduction," TCMS JOURNAL, March/April, 1993, Page 12-13.
118. Ersek, R.A., Choi, H.Y., Stovall, R.B., "Minimally Invasive Injection Surgery With Textured Micro-Particles," ASIAN JOURNAL OF SURGERY, Vol. 16, No. 2, April, 1993.
119. Ersek, R.A., Navarro, J.A., Nemeth, D.Z., Sas, G., "A No Bleed Implant," AESTH. PLAST. SURG., 17:225-228,1993.
120. Ersek, R.A.; G.A.; C.L.; Williams, John "A New Biologically, Osmotically, Oncotically Balanced Gel That Shows Calcifications Blocked by Silicone," AESTHET. PLAST. SURG. 17:331-334, 1993.
121. Ersek, R.A., Vazquez-Salisbury, A., "Wound Closure Using a Skin Stretch Device," CONTEMPORARY ORTHOPAEDICS, Vol. 28, No. 6, 495-500, June 1994.
122. Ersek, R.A., Bell, H.N., Vazquez-Salisbury, A., "Serial and Superficial Suction for Steatopygia (Hottentot Bustle)," AESTH. PLAST. SURG., 18:279-282, 1994.
123. Ersek, R.A., "Textured Silicone Breast Implants," PLAS. RECONSTR. SURG., Vol. 95, No. 4, April, 1995, pgs. 771-772.
124. Ersek R.A., Stovall R.B., Vazquez-Salisbury A., Chin Augmentation Using Minimally Invasive Technique - Bioplastique. PLAS. RECONSTR. SURG., May 1995, Vol 95, No. 6, pg 985-92.

VIDEO PUBLICATIONS

1."What is Br east Augmentation Mammoplasty?" Patient Education film, 20 mins.
2."Tr ansaxillary Approach to Breast Augmentation," Physician Instruction film, 22 mins.
3."MI STI: Molecular Impact Surface Textured Implant Silicone Prosthesis," Surgeon Instruction film, 20 mins.
4."A fter the Surgery: Helping Your Body Heal," Patient Education film, 15 mins.
5."B ioplastique," Physician instruction film, 40 mins.
6.VOL UME I: What is Augmentation Mammaplasty; VOLUME II: Plastic

Surgery Procedures; VOLUME III: After The Surgery: Helping your Body Heal.
7."Steroid I nduced Gynecomastia", 12 minutes, 1993
8."A cquired Gynecomastia"; 17 minutes, 1993

CO-EDITOR

Organ Perfusion and Preservation, edited by John C. Norman, et al., New York: Appleton-Century-Croft, 1968.

BOOK AUTHORED

Ersek, R.A. : Pain Control with Transcutaneous Electrical Neurostimulation. Published by Warren Green and Company St. Louis, Missouri, USA, 1981. Library of Congress Catalogue No. 78-50175, ISBN No. 087527-168-5.

SCIENTIFIC EXHIBITS

1.C ytogenetics in Clinical Medicine
S.A.M.A. Squibb Contest, 1965, Chicago, Illinois.
2.M embrane Oxygenator
S.A.M.A. Squibb Contest, 1967, Chicago, Illinois.
3.M embrane Oxygenator
American Medical Association, 1967, Atlantic City, New Jersey
4.Org an Perfusion Apparatus
S.A.M.A. Squibb Contest, 1968, Detroit, Michigan
5.S ilver Impregnated Porcine Xenograft for Temporary Replacement of Injured or Missing Skin at the American College of Surgeons at the 69th Clinical Congress in Atlanta, October 16 - 21, 1983, Exhibit #S853, Ersek, R.A.
6.P rocessed Bovine Cartilage for Contour Defects: Experimental and Clinical Experience with 3-year follow-up, October 16 - 21, 1983, Exhibit #S855, Ersek, R.A., et al., American College of Surgeons 69th Annual Clinical Congress at Atlanta.
7.C hondroplast: Processed Bovine Cartilage; National Congress of Plastic Surgery, Montreal, Canada, June 26 to July 1, 1983.
8.P orcine Xenograft for Contaminated Wounds: American Society of Plastic & Reconstruction Surgeons, Las Vegas, Nevada, October, 1984.
9.P orcine Xenograft for Contaminated Wounds: American College of Surgeons, San Francisco, CA, October, 1984.
Outpatient Suction Lipectomy, Ersek, R.A., Zambrano, J., Surak, G., Lele, E., T.M.A., Dallas, Texas, May 10, 1986.
10. Biosynthetic Dressings That Increase Healing Rates, R.A. Ersek, G. Surak, D. Denton; 72nd Annual Clinic Congress, American College of Surgeons, Oct. 19-24, 1986, New Orleans, LA.
11. The Use of Chondroplast in Nasal Reconstruction, R.A. Ersek; October, 1986 Los Angeles, CA.
12. Silver Skin for Scalds, R. A. Ersek; October, 1988, American College of Surgeons, Chicago, Illinois.
13. Suction Lipoplasty for Reconstructive Surgery, Texas Medical

Association, Fort Worth, Texas, May 1989.

14. Prosthetic Skin for Physiologic Wound Closure, Southern Medical Association Annual Meeting, Washington, D.C., October, 1989.
15. Suction Lipoplasty for Reconstructive Surgery, Lipoplasty Society of North America, Atlanta Annual Meeting, Georgia, October 1989.
16. Suction Lipoplasty for Reconstructive Surgery, Aesthetic Society of Plastic and Reconstructive Surgeons Annual Meeting, Chicago, Illinois, April 1990.
17. MISTI, Molecular Impact Surface Textured Implants - 24 month Follow Up, Aesthetic Society of Plastic and Reconstructive Surgeons Annual Meeting, Chicago, Illinois, April 1990.

SPECIAL HONORS

- First Place Gold Medal, College Swimming Team, 1959
- President of Pre-Medical Society, 1960
- Selected as Chapel Speaker, 1960
- Selected by Faculty as Student Teaching Fellow for Bacteriology Laboratory, 1960
- Chosen by College Administration for Student Affairs Committee, 1961
- Selected by Colleagues to represent State of West Virginia at National Forensic Meeting, 1961
- Elected to Undergraduate Research Society at Hahnemann, 1962
- Selected by Faculty to present student lecture on Aloxan Induced Diabetes, 1962
- Selected by Faculty to present student lecture on Reticuloendothelial System, 1962
- Appointed Chairman of Serpent Society, 1963
- Editor-in-Chief of Yearbook, 1964
- President of Student American Medical Association and Student Institute at Hahnemann, 1964
- Awarded Research Fellowship, 1964
- Third Place Award for Display in Student American Medical Association Squibb National Competition, 1965
- National and Regional Vice-President of Student American Medical Association, 1965
- Awarded Research Fellowship, 1965
- Alan Edelsohn Prize by Faculty for outstanding leadership and service to Hahnemann Medical College, 1966
- Grand Award for Membrane Oxygenator, Science Exhibit in Student American Medical Association Squibb National Contest, 1967
- Nominated for Outstanding Young Men of America, 1969
- Award for Excellence in Medical Writing from Minnesota Medicine, 1970
- Listed Who's Who in America, 1978
- Listed Who's Who in the World, 1983
- Listed Who's Who in American Industry and Finance, 1979
- Member, Board of Directors, Ballet Austin, 1980
- Member, Knights of the Symphony, 1980
- Listed Who's Who in American Medical Specialties, 1984

- Listed Who's Who in Texas, 1986
- Fellow American College of Surgeons, 1986
- Elected Chairman of Plastic Surgery Division, Southern Medical Association, 1988
- Photograph Awards received from Travis County Medical Society, 1983-1990
- Cover Photo for Travis County Medical Journal, May 1989 Issue, 1989
- Member, Editorial Advisory Board of the Journal of Long-Term Effects of Medical Implants, Washington, D.C., 1991

- **INVENTIONS:**
  1. A New Biological Specimen Collection System - U.S. Patent Office, Washington, D.C., Patent No. 3,346,883.
  2. R ECAD and Dialyzer - a membrane pump-oxygenator with one moving part, no occlusive valves, with intrinsic and extrinsic controls and cardiac pacer and synchronization capabilities. By changing the membrane from silicone rubber to cellophane, the artificial heart-lung becomes a kidney.
  3. S ubcutaneous Peritoneal Reservoir - a silicone rubber reservoir with a steel disk in the center thereof and a conduit to the intraperitoneal cavity to be used for a low-cost method of home dialysis.
  4. Arteriove nous Shunt - a teflon and silicone rubber short circuit between the arterial and venous systems for hemodialysis with a positive tissue ingrowth assuring a mechanical and germ-proof seal. A unique ball joint system is used for the junction means which allows for one-handed use, and hence, self-dialysis. U.S. Patent No. 3,638,649.
  5. Double L umen Catheter - for the simultaneous exit and inflow of blood that is to be cleansed, treated, or oxygenated. A new design allows 150 per cent greater flows in a given vessel than the prior art.
  6. Double B alloon Catheter - for isolation of the circulation to and from a region or organ to permit selective treatment or, in the case of donation for transplant, early preservation.
  7. Vessel L oops - for the positive identification of vessels and other structures during surgery. Patent pending.
  8. P atient Carrier - to prevent repeated dislodgement of broken bones and other structures in the emergency patient who must receive many treatments and studies during the initial assessment and repair. U.S. Patent No. 3,648,305.
  9. S urgical Clip - a new staple-like device to allow for the rapid and certain occlusion of vessels during surgery, including a pistol-like applier.
  10. Valve Seat - a new staple-like device to allow for the rapid and certain installation of prosthetic and transplanted heart valves. This device is incorporated into the wall of the housing vessel (or heart) and thus never comes in contact with the passing blood. U.S. Patent No. 3,657,744.
  11. Heat Exchanger - a disposable high flow, low resistance heat

exchanger with no external power source, no moving parts and three degree accuracy for warming stored blood and other solutions prior to administration intravenously. U.S. Patent No. 3,612,059.

12. Biopsy Needle - similar to the prior art but having a positive means for clot formation so that even a punctured vessel will be rapidly sealed.
13. Suction Collector - a device for the simultaneous suction, collection and retraction during the decalcification and replacement of heart valves.
14. Closed Rebreathing System - allows the comfortable collection of all expired gases for treatment or analysis, with a non-traumatic sealing system.
15. Sever Cord - a means for simultaneously ligating and dividing vessels, umbilical cords and other structures. U.S. Patent No. 3,631,858.
16. Fiberoptic Illuminator - provides bright, cool, sterile, obedient light within wounds and deep cavities. Sheath Patent No. 3,794,091 with lens - U.S. Patent No. 3,809,072.
17. Safety Thermometer - classic glass fever thermometer coated with plastic to decrease breakage and protect against injury. U.S. Patent No. 3,838,600.
18. Vesseloops - color-coded elliptical silicone rubber loops for occlusion, retraction, identification of vessels and other structures.
19. Fracture Fixation - a new configuration of expanded stainless steel mesh for repair of fractures. U.S. Patent No. 3,710,789.
20. A Skin Storage System (Co-inventor A. A. Beisang) - a new system for the harvesting, preparation, and storage of sterile skin grafts, both human and animal, for temporary skin replacement. U.S. Patent No. 3,793,103 (issued October 22, 1974).
21. Improvements in Vascular Prosthesis: Additional design and preparation modifications to the Mendich Method for human umbilical cord preservation as arterial substitute. (Co-inventor A. A. Beisang). Several patents pending.
22. Vessel Stabilizer - disposable surgical instrument to generally stabilize vascular wall during suturing. Patents pending.
23. Method of preparing vascular grafts of human and other origins for tissue ingrowth. (Co-inventors A. A. Beisang and D. G. Holman). U.S. Patent No. 4,239,498.
24. Method of performing vascular grafts of human and other umbilical cord origins for tissue ingrowth. (Co-inventors A. A. Beisang and D. G. Holman). U.S. Patent No. 4,239,492.
25. Method of performing vascular grafts of human and other animal origin. (Co-inventors A. A. Beisang and D. G. Holman). U.S. Patent No. 4,240,794.
26. Septal Splint - a disposable plastic splint for maintaining the structural integrity of the nasal septum following surgery. Patent issued #4,378,802.
27. Septal Splint - a series of splints for the nasal septum including a simple flat plastic implantable septal splint; a fenestrated airway member in a ballooned fenestrated airway member. U.S. Patent No.

4,592,357.

28. Method for fixing prosthetic implants in a living body. U.S. Patent No. 3,657,744.
29. Wound Closure Strips, Adhesive Strips Designed Specifically with the Elastic Modulus of Skin Provide a Waterproof, Germproof, Flexible Physiologic Skin Prosthesis with a Temporary Splinting of Wounds During Healing. U. S. Patent No. 4,780,168.
30. MISTI: Molecular Impact Surface Textured Implant, a new textured surface prosthesis for breast augmentation. Patent Pending.
31. DIAB Canula: Blunt canula with a lumen on taper to allow for dissection, injection, aspiration and/or biopsy and delivery of viscous injectible substances. Patent Pending.
32. Marquis Diamond Drain: A surgical drain apparatus and method for draining fluid from a wound while preventing contaminants from entering the wound and preventing substantial leakage of drained fluid. U.S. Patent No. 5,045,075.
33. Textured Micro Implants, Bioplastique: Micro textured implant particles; biphasic co-polymer for injection through a special needle to fill dents in nose, pock marks, chins, cheeks, etc. U.S. Patent No. 5,258,028, November 2, 1993. Robert A. Ersek, MD, FACS, Arthur A. Beisang, Jr., Arthur A. Beisang, III, MD.
34. Bio-Osmotic Gel for Implant Prostheses: New biologically, osmotically, oncotically balanced safety gel for filling breast prostheses that has increased radioluscency and biocompatibility compared with saline or silicone gel. U.S. Patent No. 5,067,965.

PRESENTATIONS:

- "Silver-Impregnated Porcine Xenograft in the Treatment of Skin Loss Injuries," present at the Association of Surgeons of Southeast Asia Fourth Biennial General Scientific Meeting, March 27, 1983, Taipei, Taiwan, Republic of China.
- "Chondroplast Process Bovine Cartilage for Contour Defects," presented at the Ninth National Congress of Turkish Plastic and Reconstructive Surgery, 1984, Bursa, Turkey.
- "Mechanism of Action of Silver-Impregnated Porcine Xenograft," presented at the Brussels International Congress on Burns, June, 1984.
- "Chondroplast, Processed Bovine Cartilage for Contour Defects," present at St. Thomas Hospital, London, England, Harley Street, London, England, and Eastmann Dental Hospital, London, England, October, 1985.
- "Glutaraldehyde Cross-Linked Silver-Impregnated Xenograft for Burn Injuries," presented at the Academic Hospital in Groningen, Holland, June 18, 1985.
- "Chondroplast and Aldehyde Cross-Linked Silver-Impregnated Xenograft Mount Vernon Hospital," June 20, 1985, London, England.
- "Chondroplast and Periguard," presented at Staeditschen Kliniken, Duesseldorf, Germany.

- "E-Z Derm, (Aldehyde)" for B.G. Karnkenanstalten, Bochum, Germany.
- "Chondroplast" and "E-Z Derm", presented to the Klinikum Aachem, Germany.
- "Chondroplast" and "E-Z Derm", presented at St. Louis Hospital, Paris, France. (Professor Banzet).
- "Chondroplast," presented to Hospital Henri-Mondor-Paris, France, (Professor Baruch, Professor Raulo) June, 1984.
- "Periguard for Tendons": Chondroplast; E-Z Derm, presented to Hospital Boucicault, Paris, France. (Dr. Viliam) June, 1985.
- "Chondroplast - 5 year follow-up," Presented at the French Accadamis on Plastic Surgery - Annual Meeting, Paris, France, October, 1985.
- "Serious Serial Suction," presented as part of a program Lipolysis Society and Annual Meeting, Kansas City, Kansas, October, 1985.
- "Serial Suction Lipectomy" presented at recent Advances in Aesthetic Surgery - Beverly Hills Medical, January 18-20, 1986.
- "Serial Suction Lipectomy," presented at Texas Medical Society Annual Meeting, Dallas, Texas, May 10, 1986.
- "Sedation: Ketamine and Valium for Outpatient Suction Lipectomy," presented at Lipolysis Society of North America, Los Angeles, California, October, 1986.
- "Serial vs. Massive Suction Lipectomy Resection," presented at Lipolysis Society of North America, Los Angeles, California, October, 1986.
- "Soft Tissue Injuries," Annual EMS Lecture, Southwest Texas State University.
- "Plastic & Reconstructive Surgery Overview," Hospital Staff Lectures.
- "Cosmetic Surgery Overview," Staff Lectures.
- "The Use of Silver Impregnated Porcine Xenograft for Skin Lesions in the Elderly," Wissenschaftliches Programm, Deutsche Gesellschaft fur Geriatrie e.V., September, 1987.
- "Molecular Impact Surface Textured Implants (MISTI PROSTHESIS)," Aesthetic Annual Meeting, San Francisco, October, 1987 and Texas Society of Plastic Surgeons Meeting, San Antonio, Texas, May, 1988.
- "Pseudobursa Formation Following Combined Lipectomy and Suction (Cut and Suck with Caution)," Southwestern Region Lipoplasty Symposium, Las Vegas, Nevada, March 1988, and Annual Meeting of American Society of Plastic and Reconstructive Surgeons in Toronto, Canada, September, 1988.
- "Liposuction Variations on a Theme, Head-to-Toe," Annual Meeting of Lipoplasty Society of North America, in Toronto, Canada, October, 1988.
- "Severe and Lethal Complications from Liposuction by Unqualified Practitioners as Reviewed by Robert A. Ersek, M.D.," Session II, American College of Surgeons, Discussant: Thomas J. Krizek, M.D., FACS, October, 1988.
- "Molecular Impact Surface Textured Implants (MISTI Prosthesis)," meeting at French Speaking Hospital, Brussels, Belgium, October, 1988.
- "Processed Irradiated Bovine Cartilage for Contour Defects and Nasal Reconstruction," European Facial Plastic Surgery Meeting, Barcelona, Spain, October, 1988.
- "Molecular Impact Surface Textured Implants (MISTI Prosthesis),"

American Society of Plastic and Reconstructive Surgeons, Southeastern Division, Breast Symposium, Atlanta, Georgia, January 20-21, 1989.

- Program Chairman for Lipoplasty Society of North America Advanced Facial Contouring Symposium, San Diego, California, February, 1989.
- "MISTI" Prosthesis, International College of Surgeons, Vienna, Austria, March 1989.
- "Serial Suction Lipectomy for Reconstruction of Regional Lipodystrophy," Tex. Med. Assn., Ft. Worth, Texas, May 1989.
- "Safe Serial Suction Lipectomy," International College of Surgeons, Istanbul, Turkey, September 1989.
- "MISTI Prostheses," Joint Symposium, Plastic Surgery PSEF, ASPRS, Budapest, Hungary, September 1989.
  Co-Chairman, "Finnish Aesthetic Teaching Symposium, FATS I," Tampere, Finland, October 1989.
- "Getting Started in Lipoplasty", Lipoplasty Society of North America Annual Meeting, San Francisco, California, October 1989.
- Local Host, "Lipoplasty Symposium" Lipoplasty Society of North America, held in Austin, Texas March 30-April 2, 1990.
- "Lipoplasty, Getting Started," Lipoplasty Society of North America Annual Meeting, Chicago, Illinois, April 1990.
- "Suction for Reconstruction," Aesthetic Society for Plastic and Reconstructive Surgery Annual Meeting, Chicago, Illionis, April 1990.
- "Bioplastique, Micro Textured Implants for Subcutaneous Injection and Augmentation of Soft Tissue," Aesthetic Society for Plastic and Reconstructive Surgery, Chicago, Illinois, April 1-4, 1990.
- "Bioplastique, A New Biphasic Copolymer, Biomaterial for Contour Corrections, Micro Implants" - First European Conference on Biomaterials in Reconstructive Surgery, Professor Donati - Chairman, Venice, Italy, September 21, 1990.
- "Biologically, Osmotically, Oncotically Balanced Safety Gel for Breast Implants One Year Clinical Experience" - The American Society for Aesthetic Plastic Surgery, Inc., Aesthetic Annual Meeting, New York, April 29, 1991.
- "MISTI Gold Implants; Two Year Follow-Up" - The Texas Medical Association Annual Meeting, San Antonio, Texas, May 15, 1992.
- "Protesi mammarie: nuove frontiere di biocompatibilta" - Nuove Frontiere Della Chirurgia Plastica Ed Estetica, Milano, Italy, October 8, 1991.
- "Sharp, Suction Extraction for Bioplastique", Lipoplasty Society of North America, 10th Annual Scientific Meeting, September 19, 1992, Washington DC.
- "Bioplastique vs. Autologous Fat Grafting", Robert A. Ersek, MD vs. Carson Lewis, Lipoplasty Society of North America, 10th Annual Scientific Meeting, September 20, 1992, Washington DC.
- "Bioplastique Three Year Clinical Experience", September 22, 1992, ASPRS Annual Meeting, Washington DC.
- "Serial Suctions for Large Volume Steatopygia," American Society for Aesthetic Plastic Surgery, Inc., 28th Annual Meeting, March 23, 1995, San Francisco.
- "But*tucks Lift for Tight Thighs," American Society for Aesthetic Plastic

Surgery, Inc., 28th Annual Meeting, March 23, 1995, San Francisco.

SYMPOSIA:

- San Diego California, Co-Chairman, The San Diego Facial Dissection Seminar, Sponsored by the University of California in San Diego and Lipoplasty Society of North America, Spring, 1988.
- Finnish Aesthetic Teaching Symposium, FATS I," Co-Chairman, Tampere Finland, October, 1989.
- Lipoplasty Symposium, Chairman and Local Host, Austin, Texas, March 29-April 1, 1990.
- Bioplastique Teaching Seminars:
  1989 - Munich Germany; London, England; Holland
  1990 - Holland; Milan/Verona, Italy; Paris, France; Brussels, Belgium; Madrid, Spain; England; Norway; Denmark; Sweden; Finland; Japan; Korea.
  1991 - Taiwan; Singapore; Japan; England; Germany; Austria; Italy; Holland; Belgium; Spain; Switzerland; Singapore.
  1992 - Kuala Lumpur; Hong Kong; Singapore; Guadalajara, Mexcio; Sao Paulo, Brazil; Los Angeles, California.

SCIENTIFIC EXHIBITS:

- Scientific Exhibit, May, 1993, "Outpatient Surgery for Liposuction" (2nd award winner - Group I). Texas Medical Association Annual Meeting, Houston, Texas.
- Scientific Exhibit, September, 1993, "Steatopygia: Hottentot Bustle". Lipoplasty Society of North America Fall Symposium, New Orleans, Louisiana.
- Scientific Exhibit, October, 1993, 1)"Gynecomastia"; 2)"A New Diamond Drain". American College of Surgeons Annual Session, San Francisco, California.
- Presentor, April, 1994, NOSE '94: Meeting of the Finnish Society of Plastic and Reconstructive Surgeons, Tampere Finland.
- Scientific Exhibit, May, 1994, "Gynecomastia", (2nd award winner - Group I); "Steatopygia"; "Constructive Cosmetic Surgery". Texas Medical Association Annual Meeting, Austin, Texas.
- Scientific Exhibit, September, 1994, "The Saddle (Straddle) Lift Series", LSNA 12th Annual Meeting, San Diego, California.
- Scientific Exhibit, "Steroid Induced Gynecomastia," SE.02, American Society for Aesthetic Plastic Surgery, Inc., 28th Annual Meeting, March 23, 1995, San Francisco.
- Scientific Exhibit, "The But*tucks Lift for Tight Thighs," SE.10, American Society for Aesthetic Plastic Surgery, Inc., 28th Annual Meeting, March 23, 1995, San Francisco.

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Site Design By: Lionel Felix / Cyberactive Media

EXHIBIT

G

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CORDIS CORPORATION,	)	Volume IV
Plaintiff,	)	
v.	)	No. 97-550-SLR
MEDTRONIC VASCULAR, INC., BOSTON SCIENTIFIC CORP., and SCIMED LIFE SYSTEMS, INC.,	)	
Defendants.	)	
MEDTRONIC VASCULAR, INC.	)	
v.	)	No. 97-700-SLR
CORDIS CORPORATION, et al.	)	
Defendants.	)	

Wednesday, March 9, 2005
9:30 a.m.

844 King Street
Wilmington, Delaware

BEFORE: THE HONORABLE SUE L. ROBINSON
United States District Court Judge

contemplated using, a balloon inside the Ersek stent; correct?

A. Correct.

Q. So what happened to these grant applications, did you get your funding?

A. No.

Q. Okay. Why not?

A. I don't know. The country was at war. We had other grants on shock and fracture fixation and other things, and Nixon had declared a war on cancer so that many of our grants at the university got rearranged to involve cancer, so that these that were, you know, for something really new and experimental for some reason they didn't get granted. Actually it never got turned down so they could be floating around in grant world someplace.

Q. The other question that I have for you -- I have got some more questions, but the next one is did these grant applications seek funds to use your stent as a stand-alone device to hold open a diseased artery or were they directed at another application?

A. These grants were to put in a

heart valve. I had those other uses and I did describe them elsewhere, but the grants were specifically for heart valves.

Q. And why did you focus on the heart valve embodiment of your invention?

A. It seemed to be the most important thing for us to be doing at the time. You know, Penicillin came along in World War II and wiped out rheumatic heart disease, but at this time there were many rheumatic heart problems around and that meant replaced valves, so that replacing valves was a big deal.

And the artificial valves had only been developed a few years before and by the way, Dr. Lillehei, he had put in the first one in the world and developed three of them on his own. So in general in Minnesota that if you were involved in the heart valves, you were a pretty good deal and if you were involved in something else, it was a lesser deal, so all of these reasons are why we stressed the heart valve.

Q. Have you ever referred to your stent as staple like?

A. Yes.

Q. Okay. Why did you call it staple like?

A. Well, a couple of reasons. Number one, surgical staples first came to this country in 1964, and they were revolutionizing certain parts of medicine. For instance, gastric bypass and some other things where you could just clamp the tissue and automatically fasten it and take the tool out, something that took hours before you could now do in a matter of minutes.

So when I was talking to surgeons and all I could convey this idea of a tool to put it in place, fasten things for a scaffolding by saying it's staple like.

Secondly, Dr. McGovern had made a valve, a heart valve that had as its fastening means a bunch of little staples, little tiny wire claws that came out and just kind of dug in all the way around the wall and one fell swoop he had a device that would put them in. And he called -- I think he called that a stapled annulus, in other words, you put the valve in, staple it in place. It didn't work very well.

And using this controllably expandable stent was a way to overcome the shortcomings of the McGovern valve, but because people understood that, I felt to describe it as a staple-like device was something that would be appreciated by my colleagues at this time.

Q. Did you mean to suggest by calling it a staple-like device that it was a stapler?

MR. CAVANAUGH: Objection, Your Honor. Objection, Your Honor. Leading.

THE COURT: Overruled.

Q. Go ahead, Dr. Ersek.

A. I never meant to say it was a stapler. It had no staples in it. It doesn't work like a stapler, it works like a slotted tubular stent.

Q. Now, Dr. Ersek, other than the efforts that you've described, did you make any efforts to pursue your invention?

A. Yes.

Q. What did you do?

A. Well, in addition to applying for several grants, I went to many companies to see if I could get them interested in funding this,

along with the work we were doing at the university.

Q. Which companies did you talk to?

A. More than fifty, starting with Johnson & Johnson and Cordis and Medtronic, and oh, gosh, more than I can -- than you can imagine.

Q. We don't have to go through all fifty, but thank you for trying.

And what was the reception to it?

A. By the way, I also spoke to an equal number of brokers, you know, trying to get them involved, too.

Q. When you spoke to the brokers and these companies, did you have secrecy agreements?

A. Absolutely not, in fact just the opposite, I wanted to tell them about it. I wanted them to tell other people about it. And all of these people did their own due diligence and investigated things. I had many other products that I put into this trying to raise money in addition to the heart valve device.

Q. You say the heart device. You're

talking about the stent?

A. Yes.

Q. What are the other devices that you had there?

A. As I recall it was about seventeen different devices and they ranged in complexity from a simple colored rubber band called a vessel loop that is in daily use in every hospital in the world and every vascular surgeon that's talked to you has used vessel loops, Vastize or something like that, every single day. Red for arteries, blue for veins, white for nerves, and they were simple and easy and disposable and they sold and we are selling them right there.

Q. Dr. Ersek, it's probably my own fault because I asked the question.

A. Second, the most complex was a membrane pump oxygenator heart lung machine with only one moving part, the membrane.

Q. And there were a bunch of others?

A. Yes.

Q. Are you the inventor of all these?

A. Yes.

EXHIBIT

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CORDIS CORPORATION,	)	Volume V
Plaintiff,	)	
v.	)	No. 97-550-SLR
MEDTRONIC VASCULAR, INC., BOSTON SCIENTIFIC CORP., and SCIMED LIFE SYSTEMS, INC.	)	
Defendants.	)	
MEDTRONIC VASCULAR, INC.,	)	
v.	)	No. 97-700-SLR
CORDIS CORPORATION, et al.	)	
Defendants.	)	

Thursday, March 10, 2005
8:30 a.m.

844 King Street
Wilmington, Delaware

BEFORE: THE HONORABLE SUE L. ROBINSON
United States District Court Judge

A. Yes.

Q. After the procedure, and line the interior of the vessel wall with this mysterious liner; right?

A. Yes.

Q. Okay. And that mysterious liner was not going to have any holes in it; the purpose was not to have holes in it?

A. Yes.

Q. Because he wanted to prevent fat deposits; right?

A. Right.

Q. So, in fact, such a liner would probably kill the anterior of the vessel wall, wouldn't it?

A. Not anymore than putting a -- we put Dacron grafts in the liner of --

Q. Okay.

A. -- heart arteries all the time.

Q. Okay. We can agree that Mr. Hammerslag's idea was never used by anyone; right?

A. That's correct.

Q. So we add Hammerslag and then we

have Palmaz and the rest of our story, and your other reference is Ersek; right?

A. That was one of the ones I referenced, yes.

Q. Ersek is from a field of conventional surgery; right?

A. That's correct.

Q. Okay. And that's where you open up the chest and take one of Ersek's guns and put this structure on it and expand it with the gun during an open surgical procedure; right?

A. During an intraluminel procedure, yes.

Q. During an intraluminal procedure?

A. It's placed intraluminally, yes.

Q. It's placed into the lumen of the vessel after you cut open the patient's chest; right?

A. Right.

Q. So let's add Ersek, that would be Ersek being used in an aortic valve, heart valve transplant, perhaps.

You have to expose the heart in order to put in a heart valve; correct? I don't

want to get unduly technical.

A. That's not the way I understand that at all, that you would have to expose the heart.

Q. Okay. In any event, your testimony about Ersek is all you have to do is make two simple changes in Ersek, first, you understand that Ersek's device is a staple-like device intended to implant into the vessel wall; right?

A. A stent-like device, yes.

Q. I said a staple-like device?

A. It's more of a stent-like device, yes.

Q. I didn't ask you that, sir.

A. No, I don't -- I don't agree that it was a staple-like device.

Q. You don't agree with Dr. Ersek's description of his device?

A. I agree with his description, but I don't agree that it was a staple-like device.

Q. Were you here when he testified?

A. Yes.

Q. You heard he's called his device a

staple-like device?

A. Yes, I heard that.

Q. Do you agree with that or not?

A. I agree that he called it a staple-like device, yes.

Q. My question is: Do you agree with Dr. Ersek's description of his device, is it a staple-like device?

A. I agree with his description of his device, yes.

Q. Okay. Fine. So all you have to do to turn Ersek into Palmaz is take its staple-like aspects and eliminate them by flattening it down, that's your first step; right?

A. No, smoothing it.

Q. Flattening it, you gave a whole afternoon of testimony about flattening Ersek, didn't you?

A. No, I quoted the patent as smoothing, yes.

Q. Doctor --

A. You're right, flattened metal. I understand, yes.

Q. Not flattened, Ersek --

A. I understand. I agree with you.

Q. So what you were saying was you would take the staple-like projections and eliminate them by flattening them down; right?

A. Yes.

Q. Okay. So basically you take it from a stapler and turn it into not a stapler, that's your first step; right?

A. Yes, you smooth it.

Q. After you have taken Ersek and taken away its function, that's what you did, you took away its function as a stapler; right?

A. No, I wouldn't say you're taking away its function, you're not taking away the function of embedding it into the wall of the artery, yes.

Q. You're taking away the function that Ersek described in his patent of using it like a stapler, right, just taking it away?

A. If you say so.

Q. Do you say so, Doctor?

A. No, I don't think you have taken that away.